



Loan Servicing LLC, and J. Michael Ferguson P.C. for the defamation or libel claims dismissed pursuant to the Mandate.

The Court awards \$6,300.00 in legal fees for defense of the claims related to the \$129,000 Yammine Tax Loan against Anson Financial Inc. to Ian Ghrist and Ghrist Law Firm PLLC.

The Court further awards \$9,197.50 in legal fees for defense of the claims entitled “The Ghrist Defendants’ Breaches of Fiduciary Duties and Tortious Interference to Anson Financial Inc. Related to the Alvord 287 Joint Venture” against Anson Financial Inc. to Ian Ghrist and Ghrist Law Firm PLLC.

The Court finds that a sanctions award is mandatory, under Tex. Civ. Prac. & Rem. Code Ann. § 27.009, when a Texas Citizen’s Participation Act (TCPA) motion to dismiss is granted. *See Tatum v. Hersh*, 559 S.W.3d 581, 587 (Tex. App.—Dallas 2018, no pet.). The Court finds that after MBH Real Estate LLC, Anson Financial Inc., AFI Loan Servicing LLC, and J. Michael Ferguson P.C. had claims dismissed pursuant to the TCPA, Anson Financial Inc. chose to file additional claims, twice, subject to dismissal pursuant to the TCPA. Under the circumstances of this case, where three TCPA motions were granted in the same lawsuit, and for other reasons as explained in the motions and evidence, sanctions should be awarded against MBH Real Estate LLC, Anson Financial Inc., AFI Loan Servicing LLC, and J. Michael Ferguson P.C. (all companies owned and controlled by J. Michael Ferguson). Sanctions should be awarded, pursuant to Tex. Civ. Prac. & Rem. Code 27.009, and this Court’s inherent power to sanction, as the Court determines sufficient to deter the party who brought the legal action from bringing similar actions described in Chapter 27 of the Texas Civil Practice and Remedies Code. The



Court has awarded \$33,291.25 in legal fees related to causes of action dismissed pursuant to the TCPA.

The Court awards sanctions, pursuant to the TCPA and under the Court's own power to award sanctions, of \$700,000.00. Accordingly, the Court awards the foregoing sanctions against MBH Real Estate LLC, Anson Financial Inc., AFI Loan Servicing LLC, and J. Michael Ferguson P.C., jointly and severally, in favor of Ian Ghrist and Ghrist Law Firm PLLC.

The Court finds, pursuant to Tex. Bus. & Com. Code Ann. § 17.50(c), that the claims under the Texas Deceptive Trade Practices Act (DTPA) were "groundless in fact or law or brought in bad faith, or brought for the purpose of harassment" and accordingly, awards attorney's fees and court costs to Ian Ghrist and Ghrist Law Firm PLLC in accordance with Tex. Bus. & Com Code § 17.50(c). The Court makes such finding for the reasons stated in Pages 13 to 16 of Exhibit A to the motion filed 3/26/2019, and for such other reasons as are contained in the pleadings, record, and evidence in this case. Accordingly, the Court awards \$10,217.50 in attorney's fees to Ian Ghrist and Ghrist Law Firm PLLC against MBH Real Estate LLC on the DTPA claims.

The Court awards post judgment interest on all amounts awarded herein at the statutory rate of 5.50% per annum.

The Court further finds that Ian Ghrist and Ghrist Law Firm PLLC shall recover \$15,000.00 in additional legal fees in the event of an appeal to the Court of Appeals, and \$10,000.00 in the event of an application for writ of error to the Texas Supreme Court, and \$15,000.00 in the event of briefing on the merits to the Texas Supreme Court.

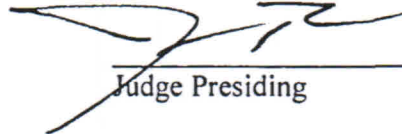




Taxable court costs to date, including the costs of the appeal to the Second District of Texas Fort Worth Court of Appeals under Cause No. 02-17-00411-CV, are awarded to Ian Ghrist and Ghrist Law Firm PLLC against MBH Real Estate LLC, AFI Loan Servicing LC, Anson Financial Inc., and J. Michael Ferguson P.C. pursuant to the Mandate and otherwise.

This judgment is partial and interlocutory in nature because the Coker parties have a counterclaim that remains pending at this time.

SIGNED on this the 24 day of June, 2019.

  
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Judge Presiding



A CERTIFIED COPY  
ATTEST: 5/19/2021  
THOMAS A. WILDER  
DISTRICT CLERK  
TARRANT COUNTY, TEXAS  
BY: CHLOE K. GARCIA